

Notice of Allowability

Application No.

09/700,877

Examiner

Pedro J. Cuevas

Applicant(s)

AKEMAKOU, DOKOU ANTOINE

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed on May 24, 2004.
2. ☒ The allowed claim(s) is/are 3 and 9-19.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 5/9/02.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 24, 2004 has been entered.

Response to Arguments

2. Applicant's arguments, see page 6, filed on May 24, 2004, with respect to claims 3 and 9-19 have been fully considered and are persuasive. The rejection of claims 3 and 9-19 has been withdrawn.

Nondahl discloses the construction of a rotor for a line-start permanent magnet motor comprising: a stator; a rotor; an air gap between the stator and the rotor; and permanent magnets incorporated in the rotor, at least one of the magnets being disposed radially so as to generate a magnetic flux.

Tanaka teaches the construction of a permanent magnet type electric motor wherein the magnets constitute at least a first group of magnets containing rare earths and a second group consisting of ferrite magnets, wherein a plurality of sub-assemblies is provided, each sub-assembly combining at least one magnet of the first group with a magnet of the second group for the purpose of minimizing the effect of flux looping from the rare earth metal containing magnet to the ferrite magnet and having a uniform flux density in the magnetic pole surface.

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Leitgeb discloses the construction of a rotary electrical machine for a motor vehicle in which permanent magnets incorporated inside the rotor constitute at least two groups arranged in superimposed relationship in a generally radial direction.

Hiroshi teaches the construction of an electric motor having a rare earth permanent magnet surrounded in superimposed relationship in a generally radial direction with a ferrite magnet, and characterized in that each sub-assembly comprises a magnet containing rare earths in superimposed relationship in a radial direction with two ferrite magnets by which it is encircled for the purpose of having a motor with good productivity and small eddy current loss.

Allowable Subject Matter

3. Claims 3 and 9-19 are allowed.
4. The following is an examiner's statement of reasons for allowance.

The prior art does not teaches the construction of an electrical machine as described on:

independent claim 3, wherein each sub-assembly comprises a magnet containing rare earths situated closer to the air gap than the ferrite magnet, said magnet containing rare earth arranged in superimposed relationship in a generally radial direction with a ferrite magnet; and

independent claims 9 and 14, wherein each sub-assembly comprises a magnet containing rare earths interposed in a radial direction, between two ferrite magnets.

Dependent claims 10-13 and 15-19 are considered allowable by their dependence on allowed independent claims 3, 9, and 14.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pedro J. Cuevas whose telephone number is (571) 272-2021. The examiner can normally be reached on M-F from 8:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (571) 272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pedro J. Cuevas
June 23, 2004

KARL TAMAI
PRIMARY EXAMINER
